

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Micquel Raynay Bingham,

Case: 4:23-mj-30312
Assigned To : Ivy, Curtis, Jr
Assign. Date : 7/27/2023
Description: IN RE SEALED MATTER (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

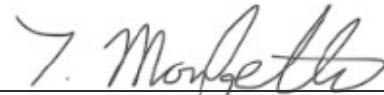
On or about the date(s) of June 29, 2023 in the county of Genesee in the
Eastern District of Michigan, the defendant(s) violated:

| <i>Code Section</i> | <i>Offense Description</i> |
|-----------------------|----------------------------------|
| 18 U.S.C. § 922(g)(1) | Felon in possession of a Firearm |

This criminal complaint is based on these facts:

On or about June 29, 2023, in the Eastern District of Michigan, Micquel Bingham, knowing he had a previous conviction for a crime punishable by a term of imprisonment exceeding one year, knowingly possessed, in and affecting commerce, a firearm, in violation of 18 U.S.C. § 922(g)(1).

Continued on the attached sheet.



Complainant's signature

Todd Monfette, Special Agent, ATF

Printed name and title



Judge's signature

Curtis Ivy, Jr., United States Magistrate Judge

Printed name and title

Sworn to before me and signed in my presence and/or by
reliable electronic means.

Date: July 27, 2023

City and state: Flint, MI

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Special Agent Todd Monfette, being first duly sworn, hereby depose and state as follows:

INTRODUCTION & AGENT BACKGROUND

1. I make this affidavit from personal knowledge based on the following: my participation in this investigation, including witnessing interviews by myself and/or other law enforcement officers, communications with others who have personal knowledge of the events and circumstances described herein, and information gathered through my training and experience. The information outlined below is for the limited purpose of obtaining a criminal complaint and an arrest warrant. I have not set forth each and every fact I have learned in this investigation.

2. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, United States Department of Justice, assigned to the Detroit Field Division since July 2017. I graduated from the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. During my employment with ATF, I have conducted and/or participated in numerous criminal investigations involving the possession and use of firearms, drug trafficking violations, criminal street gangs and other violations of federal law.

PURPOSE OF AFFIDAVIT

3. The purpose of this affidavit is to establish probable cause that on or about June 29, 2023, in the Eastern District of Michigan, Micquel Raynay Bingham (DOB: XX/XX/1995), knowing he had a previous conviction for a crime punishable by a term of imprisonment exceeding one year, knowingly possessed, in and affecting commerce, a firearm, in violation of 18 U.S.C. § 922(g)(1).

4. Because this affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are necessary to establish probable cause of violation of federal criminal offenses, specifically 18 U.S.C. § 922(g)(1).

PROBABLE CAUSE

5. In June of 2023, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) conducted an investigation into the illegal possession of a firearm by convicted felon Micquel Bingham.

6. I reviewed Bingham's criminal history, and noted he has the following felony convictions:

- March 03, 2016-Felony Home Invasion-2nd Degree
 - 7th Circuit Court
 - CFN: 15-038360-FH
- September 06, 2017-Felony Financial Transaction Device-Stealing / Retaining without Consent x2
 - 6th Circuit Court

- CFN: 2017262279FH

- December 20, 2017-Felony Police Officer
Assaulting/Resisting/Obstructing, Felony Escape-Awaiting Trial for a
Misdemeanor
 - 6th Circuit Court
 - CFN: 2017264729FH

7. On June 29, 2023, ATF utilizing an ATF special agent acting in an undercover capacity (UCA) conducted a controlled purchase of two firearms from Bingham at a residence in Flint, MI. During the controlled purchase, the UCA was equipped with audio and video recording devices, and activated them prior to arriving at this residence.

8. Upon arrival at the residence, the UCA observed Micquel Bingham exit the side door and get into his blue Buick SUV. The UCA then went inside the residence and spoke with the homeowner, Person-1. Once inside the residence, the UCA observed two firearms on the kitchen table, a Smith & Wesson M&P rifle, and an FN 9mm pistol. Person-1 told the UCA that the FN 9mm pistol is being sold by Bingham for \$950, and the Smith & Wesson M&P rifle, which was identified as belonging to Bingham from a previous encounter, was \$1,200.

9. The UCA then asked Person-1 if Bingham would take \$1,100 for the Smith & Wesson rifle. Person-1 replied saying he could “ask him.”

10. The UCA then exited the residence in order retrieve a quantity of pre-recorded U.S. currency. As the UCA exited the residence, the UCA again observed

Bingham, and asked Bingham if he would take \$1,100 for the rifle. At this, Bingham exited his vehicle and approached the UCA. Bingham then asked the UCA if the UCA was going to purchase, “both of them.” Bingham and the UCA continued negotiating the price, and agreed to a price of \$2,050 for both firearms.

11. After retrieving the pre-recorded U.S. currency, the UCA went back inside the residence and exchanged \$2,040 with Bingham. The UCA then took both firearms to the undercover vehicle. The UCA then provided Bingham an additional \$20 and departed the residence.

12. Once back at the ATF Flint Field Office, the following firearms were packaged and entered into ATF property:

- Smith & Wesson, model M&P 15, .223 caliber rifle bearing S/N: TS41118
 - Purchased for \$1,100 from Bingham
- FNH USA LLC, model FNS-9, 9mm pistol bearing S/N: GKT0093157
 - Purchased for \$950 from Bingham

13. I have spoken with Special Agent Dustin Hurt who has received specialized training regarding the manufacture and shipping of firearms. S/A Hurt stated that both the Smith & Wesson, model M&P 15, .223 caliber rifle bearing S/N: TS41118 and the FNH USA LLC, model FNS-9, 9mm pistol bearing S/N: GKT0093157 were manufactured outside the state of Michigan.

CONCLUSION

14. Based upon the above information, probable cause exists to believe that on June 29, 2023, in the Eastern District of Michigan, Micquel Bingham, knowing he had a previous conviction for a crime punishable by a term of imprisonment exceeding one year, knowingly possessed, in and affecting commerce, a firearm, in violation of 18 U.S.C. § 922(g)(1).



Special Agent Todd Monfette
Bureau of Alcohol, Tobacco, Firearms and Explosives

Subscribed and sworn before me or by reliable electronic means on this 27th day of July, 2023.



Honorable Curtis Ivy, Jr.
United States Magistrate Judge